

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA**

JAMES D. HOTSON,)	
)	
Plaintiff,)	
)	
-vs-)	Case No. CIV-06-366-F
)	
)	
JO ANNE B. BARNHART,)	
Commissioner of Social Security)	
Administration,)	
)	
Defendant.)	

ORDER

On April 5, 2006, plaintiff, James D. Hotson, filed a complaint seeking judicial review pursuant to 42 U.S.C. § 405(g) of the final decision of the Commissioner of the Social Security Administration denying his application for disability insurance benefits under Title II of the Social Security Act, 42 U.S.C. §§ 416(i), 423. Pursuant to 28 U.S.C. § 636 and Rule 72(b), Fed. R. Civ. P., the court referred the matter to United States Magistrate Judge Gary M. Purcell for submission of findings and recommendations. Plaintiff filed his opening brief on September 5, 2006. Defendant filed her response brief on November 3, 2006.

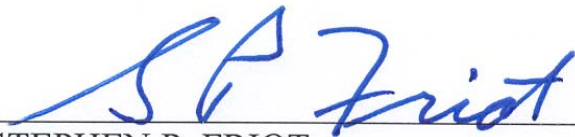
On November 28, 2006, Magistrate Judge Purcell issued a Report and Recommendation, wherein he recommended that the Commissioner's decision be affirmed.

Presently before the court is plaintiff's timely objection to Magistrate Judge Purcell's Report and Recommendation. In accordance with 28 U.S.C. § 636(b) and

Rule 72(b), the court has conducted a *de novo* review of the matter. Having done so, the court concludes that plaintiff's objection is without merit. The court agrees with the recommendation of Magistrate Judge Purcell. Consequently, the court accepts, adopts, and affirms the Report and Recommendation.

Accordingly, the Report and Recommendation issued by United States Magistrate Judge Gary M. Purcell on November 28, 2006 (doc. no. 17) is **ACCEPTED**, **ADOPTED**, and **AFFIRMED**. The final decision of the Commissioner of the Social Security Administration denying plaintiff's application for disability insurance benefits under Title II of the Social Security Act, 42 U.S.C. §§ 416(i), 423 is **AFFIRMED**. Judgment shall issue forthwith.

DATED December 21, 2006.



STEPHEN P. FRIOT
UNITED STATES DISTRICT JUDGE